

2001 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB55)

Received: 07/06/2001

Received By: agary

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Dyck

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**

Extra Copies: **TNF, PJH**

Submit via email: NO

Requester's email:

Pre Topic:

LFB:.....Dyck -

Topic:

Expenditure authority for state highway rehabilitation, maintenance, and traffic operations (item 37)

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 07/10/2001	csicilia 07/10/2001		_____			
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/2	agary 07/11/2001	csicilia 07/11/2001	rschluet 07/11/2001	_____	lrb_docadmin 07/11/2001		

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

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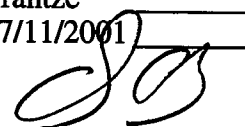
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1?	agary	1/9/01	7/10/01	7/10/01			

FE Sent For:

<END>

rehabilitation project could only be funded from these appropriations (as modified). Specify that funds provided in the state highway rehabilitation program appropriations may not be used for southeast Wisconsin freeway rehabilitation projects, instead of, under the substitute amendment, applying this restriction only to the Marquette Interchange project. Modify the provision in the substitute amendment that requires DOT to submit a request under s. 13.10 for the transfer of funds from the state highway rehabilitation program to the appropriations for southeast Wisconsin freeway reconstruction to, instead, require the request to include the transfer of funds for the rehabilitation of those freeways.

Modify the definition of a major highway development project to specify that it does not include a southeast Wisconsin freeway rehabilitation project. This would allow a southeast Wisconsin freeway rehabilitation project that would otherwise be classified as a major highway development project to be constructed without being enumerated as a major highway development project.

Keep "add lanes" in defn of rehab.

36. WEST CANAL STREET RECONSTRUCTION

Senate: No change to Joint Finance.

modify JFC

*TNF
6/14/86*

Assembly: Modify a provision in the Joint Committee on Finance's substitute amendment that would require DOT to make a grant of \$10,000,000 to the City of Milwaukee for the reconstruction of West Canal Street if the City contributes \$10,000,000 toward the cost of the project by deleting \$3,500,000 in 2001-02 and \$1,500,000 in 2002-03 of tribal gaming proceeds provided for making the grant and lowering the City's required match to \$5,000,000. The remaining \$5,000,000 grant to the City would come from amounts appropriated for the Marquette Interchange reconstruction project.

	Chg. to JFC
PR	- \$5,000,000

*\$1 2.5 gaming
\$1 2.5 LRIP*

37. EXPENDITURE AUTHORITY UNDER THE STATE HIGHWAY REHABILITATION AND STATE HIGHWAY MAINTENANCE AND TRAFFIC OPERATIONS PROGRAMS

Senate: No change to Joint Finance.

6/14/20

Assembly: Modify the definition of "highway improvement" for the purposes of a statutory provision outlining DOT's duties and authority with respect to highway construction, as follows: (a) specify that the term includes the rehabilitation of a highway or street; (b) specify that the term excludes activities and operations incidental to building, fabricating or bettering a highway or street, but includes, as under current law, processes incidental to building, fabricating or bettering a highway or street; (c) specify that the term excludes improvements to a public mass transit system; and (d) specify that the term does not include the installation, replacement, rehabilitation or maintenance of highway signs, traffic control signals, highway lighting, pavement markings or intelligent transportation systems, unless incidental to building,

ACC

fabricating or bettering a highway or street. Amend the provisions that establish DOT's authority for making expenditures from the appropriations for state highway rehabilitation to specify that these appropriations may not be used for the installation, replacement, rehabilitation or maintenance of highway signs, traffic control signals, highway lighting, pavement markings or intelligent transportation systems, unless incidental to the improvement of existing state trunk and connecting highways. Amend the provisions that establish DOT's authority for making expenditures from the appropriations for state highway maintenance and traffic operations by replacing the phrase "for highway operations such as permit issuance, pavement marking, highway signing, traffic signalization and highway lighting" with the phrase "for permit issuance and other highway operations, including the installation, replacement, rehabilitation, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings and intelligent transportation systems."

Specify that DOT may contract with a private entity, in addition to any county highway committee or municipality under current law, for the maintenance of state trunk highways. Specify that the maintenance activities include the installation, replacement, rehabilitation or maintenance of highway signs, traffic control signals, highway lighting, pavement markings and intelligent transportation systems.

Define "intelligent transportation system" as a specialized computer system or other electronic, information processing, communication or technical system, including roadway detector loops, closed circuit television, permanent variable message signs or ramp meters, that is used to improve the efficiency or safety of a surface transportation system.

Transfer \$27,000,000 SEG in 2001-02 from the SEG appropriation for state highway rehabilitation to the SEG appropriation for highway maintenance and traffic operations to reflect a decision to provide a one-time supplement for the maintenance program to allow DOT to absorb additional costs in that program that would result from this item.

DOT goes back to JFC where \$ comes from

38. STUDY OF IMPROVEMENTS TO STH 11/USH 14 BETWEEN JANESVILLE AND I-43

Senate: Require DOT to conduct a study of the transportation corridor between Janesville and I-43 along STH 11 and USH 14. Specify that the study shall develop and evaluate various alternatives for improving the capacity and safety of transportation in the corridor. Require DOT to consult with local units of governments on the study design and methodology and require the Department to cooperate with the City of Janesville, Rock County and Walworth County in completing the study. Specify that if the Department concludes after the study that improvements in the corridor require construction of a major highway development project on STH 11/USH 14, the Department shall present this project for consideration by the Transportation Projects Commission (TPC) when the Commission meets to consider potential projects for enumeration as a major highway development project in 2004. Specify that a current law provision that requires DOT to get approval from the TPC prior to conducting an environmental impact statement or environmental assessment on a potential major highway development project do not apply to this study.

22. Senate draft.
23. Assembly draft.
24. Assembly draft.
25. No draft.
26. No draft.
27. Assembly draft.
28. No draft.
29. Senate draft.
30. Senate draft.
31. Amend Assembly draft to change 2010 to 2013.
32. No draft.
33. Amend Assembly draft to allocate \$200,000 instead of \$400,000.
34. Include Senate draft, but delete 5% minority business contracting goal. Include Assembly draft.
35. Include Assembly draft, but delete modification of the definition of major highway development project.
36. Modify JFC substitute amendment to, instead of providing a grant of \$5,000,000 (\$3,500,000 in 2001-02 and \$1,500,000 in 2002-03) from s. 20.395 (3) (ck), provide a grant of \$2,500,000 (\$1,250,000 annually) from (3) (ck) and \$2,500,000 from s. 20.395 (2) (fr), notwithstanding requirements of the program. Grant from (2) (fr) should be made prior to other allocations and would reduce all other allocations proportionately.

37. Assembly draft, but allow DOT to present a plan to the Joint Committee on Finance under s. 13.10 to transfer up to \$10,000,000 from s. 20.395 (3) (cq) to (3) (eq) to move funds allocated for the installation of traffic signals, street lighting, pavement marking, highway signs and intelligent transportation systems from the rehabilitation appropriation to the maintenance appropriation. Request would be made at the fourth quarterly meeting of 2001-02. Also, modify the draft to give DOT the authority to contract with private entity for the purchase of services or materials associated with the installation of traffic signals, street lighting, pavement marking, highway signs and intelligent transportation systems, instead of the maintenance of highways.

now - state to allow DOT to request up to \$10M

*be transferred from rehab
to maintenance*

~~ARC:.....Hartsough - AM13, State highway maintenance - limit use of rehabilitation funds~~

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

~~CAUCUS ASSEMBLY~~ ^{Senate} AMENDMENT

~~ASSEMBLY~~ ^{Senate} TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

D-note

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 188, line 19: decrease the dollar amount for fiscal year 2001-02 by
3 \$27,000,000 to decrease funding for the purposes for which the appropriation is
4 made.

5 2. Page 189, line 12: increase the dollar amount for fiscal year 2001-02 by
6 \$27,000,000 to increase funding for the purposes for which the appropriation is
7 made.

8 3. Page 344, line 17: after "84.014" insert ", or to the installation, replacement,
9 rehabilitation, or maintenance of highway signs, traffic control signals, highway

1 lighting, pavement markings, or intelligent transportation systems, unless
2 incidental to the improvement of existing state trunk and connecting highways”. ✓

3 4. Page 346, line 12: after “84.014” insert “, or to the installation, replacement,
4 rehabilitation, or maintenance of highway signs, traffic control signals, highway
5 lighting, pavement markings, or intelligent transportation systems, unless
6 incidental to the improvement of existing state trunk and connecting highways”. ✓

7 5. Page 347, line 1: delete the material beginning with “for” and ending with
8 “lighting” on line 3 and substitute “~~for highway operations such as permit issuance,~~
9 ~~pavement marking, highway signing, traffic signalization and highway lighting for~~
10 permit issuance and other highway operations, including the installation,
11 replacement, rehabilitation, or maintenance of highway signs, traffic control signals,
12 highway lighting, pavement markings, and intelligent transportation systems.”. ✓

13 6. Page 347, line 23: delete the material beginning with “for” and ending with
14 “lighting” on line 25 and substitute “~~for highway operations such as permit issuance,~~
15 ~~pavement marking, highway signing, traffic signalization and highway lighting for~~
16 permit issuance and other highway operations, including the installation,
17 replacement, rehabilitation, or maintenance of highway signs, traffic control signals,
18 highway lighting, pavement markings, and intelligent transportation systems.”. ✓

19 7. Page 856, line 3: after that line insert:

20 “SECTION 2294m. 84.001 (1r) of the statutes is created to read:

21 84.001 (1r) “Intelligent transportation system” means a specialized computer
22 system or other electronic, information processing, communication, or technical
23 system, including roadway detector loops, closed circuit television, permanent

1 variable message signs, or ramp meters, that is used to improve the efficiency or
2 safety of a surface transportation system.”

3 **8.** Page 865, line 20: after that line insert:

4 **“SECTION 2307g.** 84.06 (1) of the statutes is amended to read:

5 84.06 (1) DEFINITIONS. In this section, “improvement” or “highway
6 improvement” includes construction, reconstruction, rehabilitation, and ~~the~~
7 ~~activities, operations and processes incidental to building, fabricating, or bettering~~
8 ~~a highway, public mass transportation system or street, but not maintenance. The~~
9 ~~terms do not include the installation, replacement, rehabilitation, or maintenance~~
10 ~~of highway signs, traffic control signals, highway lighting, pavement markings, or~~
11 ~~intelligent transportation systems, unless incidental to building, fabricating, or~~
12 ~~bettering a highway or street.~~

13 **SECTION 2307h.** 84.07 (1) of the statutes is amended to read:

14 84.07 (1) STATE EXPENSE; WHEN DONE BY COUNTY OR MUNICIPALITY. The state trunk
15 highway system shall be maintained by the state at state expense. The department
16 shall prescribe by rule specifications for such maintenance and may contract with
17 ~~private entity~~ any county highway committee or municipality to have all or certain
18 parts of the work of maintaining the state trunk highways within or beyond the
19 limits of the county or municipality, including interstate bridges, performed by the
20 ~~private entity~~ county or municipality, and any ~~private entity~~ county or municipality
21 may enter into such contract. General maintenance activities include the
22 application of protective coatings, the removal and control of snow, the removal,
23 treatment and sanding of ice, interim repair of highway surfaces and adjacent
24 structures, and all other operations, activities and processes required on a

1 continuing basis for the preservation of the highways on the state trunk system, and
 2 including the care and protection of trees and other roadside vegetation and suitable
 3 planting to prevent soil erosion or to beautify highways pursuant to s. 80.01 (3), and
 4 all measures deemed necessary to provide adequate traffic service. Special
 5 maintenance activities include the restoration, reinforcement, complete repair or
 6 other activities which the department deems are necessary on an individual basis for
 7 specified portions of the state trunk system. Maintenance activities also include the
 8 installation, replacement, rehabilitation, or maintenance of highway signs, traffic
 9 control signals, highway lighting, pavement markings, and intelligent
 10 transportation systems."

10

11

Insert
A →

(END)

D - Note

The department may contract
with a private entity for services
or materials or both
associated with the installation,
replacement, rehabilitation, or maintenance
of highway signs, traffic control signals,
highway lighting, pavement markings, and
intelligent transportation systems.

✓

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb2007/lins
ARG:.....

9

1. Page 1363, line 2: after that line insert:

*insert
A*

"(7**6**) REQUEST FOR ADDITIONAL MAINTENANCE ACTIVITIES FUNDING. At the 4th quarterly meeting of the joint committee on finance under section 13.10 of the statutes in the 2001-02 fiscal year, the department of transportation may submit to the committee a request for the transfer of moneys not to exceed \$10,000,000 from the appropriation under section 20.395 (3) (cq) ^{of the statutes} as affected by this act, to the appropriation under section 20.395 (3) (eq) _{of the statutes} as affected by this act, in the 2001-02 fiscal year for the purpose of funding the installation, replacement, rehabilitation, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings, and intelligent transportation systems."

✓

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb2007/1dn

ARG:.....

gs

ATTN: Jon Dyck

The attached draft is identical to LRBb1420/2 (prepared for the Assembly Republican Caucus) except for the modification of amended s. 84.07 (1) and the addition of SECTION 9152 (7p). ✓ ✓

✓
9

Aaron R. Gary
Legislative Attorney
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E-mail: aaron.gary@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb2007/1dn
ARC:cjs:jf

July 11, 2001

ATTN: Jon Dyck

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LRB b2007
7/11/01

Telephone message from Jon Dyck at LFB. On page 4, line 20, the transfer of moneys should be for the 2002-03 fiscal year, not 2001-02 fiscal year.

ARG



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb2007/4 2
ARG:cjs:jf

RMR

LFB:.....Dyck - Expenditure authority for state highway rehabilitation, maintenance, and traffic operations (item 37)

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

D-Note

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 188, line 19: decrease the dollar amount for fiscal year 2001-02 by
3 \$27,000,000 to decrease funding for the purposes for which the appropriation is
4 made.

5 **2.** Page 189, line 12: increase the dollar amount for fiscal year 2001-02 by
6 \$27,000,000 to increase funding for the purposes for which the appropriation is
7 made.

8 **3.** Page 344, line 17: after "84.014" insert ", or to the installation, replacement,
9 rehabilitation, or maintenance of highway signs, traffic control signals, highway

1 lighting, pavement markings, or intelligent transportation systems, unless
2 incidental to the improvement of existing state trunk and connecting highways”.

3 4. Page 346, line 12: after “84.014” insert “, or to the installation, replacement,
4 rehabilitation, or maintenance of highway signs, traffic control signals, highway
5 lighting, pavement markings, or intelligent transportation systems, unless
6 incidental to the improvement of existing state trunk and connecting highways”.

7 5. Page 347, line 1: delete the material beginning with “for” and ending with
8 “lighting” on line 3 and substitute “~~for highway operations such as permit issuance,~~
9 ~~pavement marking, highway signing, traffic signalization and highway lighting for~~
10 permit issuance and other highway operations, including the installation,
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13 6. Page 347, line 23: delete the material beginning with “for” and ending with
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19 7. Page 856, line 3: after that line insert:

20 “SECTION 2294m. 84.001 (1r) of the statutes is created to read:

21 84.001 (1r) “Intelligent transportation system” means a specialized computer
22 system or other electronic, information processing, communication, or technical
23 system, including roadway detector loops, closed circuit television, permanent

1 variable message signs, or ramp meters, that is used to improve the efficiency or
2 safety of a surface transportation system.”.

3 **8.** Page 865, line 20: after that line insert:

4 **“SECTION 2307g.** 84.06 (1) of the statutes is amended to read:

5 84.06 (1) DEFINITIONS. In this section, “improvement” or “highway
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16 shall prescribe by rule specifications for such maintenance and may contract with
17 any county highway committee or municipality to have all or certain parts of the
18 work of maintaining the state trunk highways within or beyond the limits of the
19 county or municipality, including interstate bridges, performed by the county or
20 municipality, and any county or municipality may enter into such contract. General
21 maintenance activities include the application of protective coatings, the removal
22 and control of snow, the removal, treatment and sanding of ice, interim repair of
23 highway surfaces and adjacent structures, and all other operations, activities and
24 processes required on a continuing basis for the preservation of the highways on the

1 state trunk system, and including the care and protection of trees and other roadside
2 vegetation and suitable planting to prevent soil erosion or to beautify highways
3 pursuant to s. 80.01 (3), and all measures deemed necessary to provide adequate
4 traffic service. Special maintenance activities include the restoration,
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6 necessary on an individual basis for specified portions of the state trunk system.
7 Maintenance activities also include the installation, replacement, rehabilitation, or
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13 **9.** Page 1363, line 2: after that line insert:

14 “(7q) REQUEST FOR ADDITIONAL MAINTENANCE ACTIVITIES FUNDING. At the 4th
15 quarterly meeting of the joint committee on finance under section 13.10 of the
16 statutes in the 2001–02 fiscal year, the department of transportation may submit to
17 the committee a request for the transfer of moneys not to exceed \$10,000,000 from
18 the appropriation under section 20.395 (3) (cq) of the statutes, as affected by this act,
19 to the appropriation under section 20.395 (3) (eq) of the statutes, as affected by this
20 act, in the ²⁰⁰²⁻⁰³~~2001-02~~ fiscal year for the purpose of funding the installation,
21 replacement, rehabilitation, or maintenance of highway signs, traffic control signals,
22 highway lighting, pavement markings, and intelligent transportation systems.”

23 (END)

D - Note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb2007/2dn

ARG:.....

gjs

ATTN: Jon Dyck

The attached draft is identical to LRBb2007/1 except that the request for transfer of moneys, on page 4, line 20, may be made for the "2002-03" fiscal year rather than the "2001-02" fiscal year.

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July 11, 2001

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8 a highway, ~~public mass transportation system~~ or street, but not maintenance. The
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19 to the appropriation under section 20.395 (3) (eq) of the statutes, as affected by this
20 act, in the 2002–03 fiscal year for the purpose of funding the installation,
21 replacement, rehabilitation, or maintenance of highway signs, traffic control signals,
22 highway lighting, pavement markings, and intelligent transportation systems.”

23 (END)